

Delegating to the Commissioner in Sind the powers conferred on the Governor of Bombay in Council by Section 2 of the Act.

Notn., dated 14th September 1870, B. G. G., 1870, Pt. I, p. 1019.—The Right Honourable the Governor in Council is also pleased, under Section 17 of the above Act, to delegate to the Commissioner in Sind the powers conferred on the Governor of Bombay in Council by Section 2 of the said Act.

Delegating to the Commissioner in Sind the powers conferred on the Governor of Bombay in Council by Section 3 of the Act.

Notn., dated 3rd March 1871, B. G. G., 1871, Pt. I, p. 297.—The Right Honourable the Governor in Council is pleased, under Section 17 of Bombay Act II of 1868, to delegate to the Commissioner in Sind the power conferred on the Governor of Bombay in Council by Section 3 of the said Act.

Rules and Orders under Bombay Act VI of 1873.

(District Municipalities.)

Rules prescribing the independent authority of Municipalities in respect of public education, &c.

Notn. No. 2585, dated 6th December 1894, B. G. G., 1894, Pt. I, p. 1233.—In supersession of the rules published by Government Notification No. 129, dated 26th January 1887, and with reference to Government Notification No. 2433, dated 6th November 1893, the following rules made in exercise of the powers conferred under Section 24 of the Bombay District Municipal Act, 1873, as amended by Section 49 (e) of the Bombay District Municipal Act Amendment Act, 1884, to prescribe the extent of the independent authority of Municipalities in respect of public education, and the relations of Municipalities with the Government Educational Department, are published for general information :—

Rules laid down by Government under Section 24 of the Bombay District Municipal Act of 1873.

1. The powers and duties of every Municipality in respect of the establishment and maintenance of schools may, subject to the reservations and conditions hereinafter contained, and subject to such alterations as may from time to time be made under the authority of Government on this behalf, be delegated to a Committee, which shall be called "the Schools Committee"; and shall be constituted according to the rules made under Section 32 of the District Municipal Act Amendment Act (Bombay II of 1884).

2. The principles and system of school management, the course of instruction to be followed, and the rates of salary to be given to the various

grades of masters in Municipal Schools, shall be those prescribed by the Educational Department under the authority of Government in the Codes for Vernacular Masters and Training Colleges, and in Chapter I and Schedules of the Grant-in-aid Code, so far as the same may be applicable : provided that to meet local requirements, with the previous consent of the Director of Public Instruction, any Municipality may adopt such modifications as may be found to be necessary or expedient. In case of doubt as to the application of any principle or rule the decision of the Director of Public Instruction shall be followed subject to an appeal to Government, whose decision shall be final and conclusive:

3. Municipal Schools shall, subject to the proviso in Rule 2, be provided for all castes and classes of the community, and shall be open to inspection and examination at all times by the Government Inspecting Staff. The Municipality shall in each case make suitable arrangements in communication with the Inspector for the annual examination required by the Educational Department.

4. In the Budget Estimate of every Municipality prepared under Section 88 of the Bombay District Municipal Act of 1873, as amended by clause (j) of Section 49 of the Bombay District Municipal Act Amendment Act, 1884, there shall be a separate section for educational income and expenditure. A copy of that section, with full details of both income and expenditure, and of all variations and alterations made from time to time shall be forwarded to the Educational Inspector as soon as conveniently may be after the general meeting at which such Budget Estimate, variation or alteration is passed. The School Fund shall be kept distinct from the general Municipal Fund and in the annual accounts rendered under Section 90 of the said Act, there shall also be a separate section under the head Education. A copy of this section shall be forwarded yearly to the Government Educational Inspector of the Division as soon as possible after the accounts have been audited and passed.

5. In the Budget Estimate and in the annual accounts shall be set forth in separate parts the receipts and expenditure—

- (1) for schools within the contract *;
- (2) for schools not within the contract, but maintained or aided from the Municipal Fund with or without a Government grant;
- (3) for any other educational purposes not included in the above, but coming under Section 24, clauses (15), (16) or (21) of Act VI of 1873.

Under the head of ' Receipts ' shall be shown separately—

- (a) balance of School Fund unexpended and carried forward ;
- (b) the Government contract grant ;
- (c) the fee receipts of schools ;

* The contract grant is a sum of money paid at the discretion of Government for the support of a certain number of primary schools said to be within the contract.

- (d) the sum assigned and paid to the Municipality under Section 47 of the Bombay District Local Boards Act, 1884, which is to be expended on educational purposes under the second paragraph of that section ;
- (e) any other contribution made by Government or by a Local Board, and any other income received by the Municipality for expenditure on or for the benefit of the said schools, or accruing from the said schools ;
- (f) the allotment made by the Municipality in the year of account from receipts of the Municipal Fund other than receipts under (a), (b), (c), (d), and (e) for expenditure on or for the benefit of the said schools.

6. The Budget Estimate and annual accounts shall be rendered in such detail as may be set forth in forms prescribed from time to time by the Governor in Council.

7. In all questions relating to pension, leave, and pay, and acting allowances the rules from time to time in force for the Government uncovenanted services shall be applicable to every member of a school establishment, who has been or may be transferred from the Educational Department, and who was permanently employed by that Department on a salary of more than Rs. 10.

In Municipal Schools so long as persons who hold certificates recognised by the Educational Department or who are already in receipt of pensionable salaries under Government are procurable, no persons not so qualified shall be employed on a salary of more than Rs. 10. It shall be incumbent on every Municipality engaging a teacher as aforesaid to make provision for his pensionary rights and leave allowances, in accordance with the rules in this behalf from time to time prescribed by Government, and every such teacher shall have the same rights in respect of pension, leave allowances, dismissal and transfer as if he were an officer lent to the Municipality. In filling up places of non-pensionable pay, the Municipality shall give the preference to those who have passed an examination qualifying for the Public Service, or who have been useful teachers.

Explanation.—In reference to the obligation as to the employment of certificated persons recited in this rule, it must be understood that all teachers on a salary of more than Rs. 10, whether first employed by the

* A Municipality can send candidates to the Government Training Colleges provided (1) the candidates are accepted as properly qualified by the Educational Inspector and the Educational Inspector has room for them, and (2) the Municipality provides the usual stipends and engages to employ the candidates for five years after passing for a certificate.

Educational Department in Government and Local Board Schools or whether first employed by the Municipalities in their primary and industrial schools, are interchangeable. The Municipalities must, therefore, limit their choice of new teachers to (1) Teachers who hold certificates issued by a *Training Institution and signed by an Educational Inspector and (2) Teachers who hold a Drawing Master's Certificate from the Jamsetji Jijibhai School of Art or a final certificate for any course taught in the College of Science, the Dayaram Jethmal Sind College, the Jamsetji Jijibhai School of Art, or the Victoria Jubilee Technical Institute.

8. Subject to Rule 7, the appointment, promotion, punishment, suspension and dismissal of all members of the establishments of Municipal Schools shall rest with the Municipality or the Schools Committee to whom such power may be delegated: provided that no officer in receipt of a salary exceeding ten rupees per month shall be dismissed or have his salary permanently reduced or be retransferred to the Educational Department without the previous sanction of the Municipality.

9. In order that the less advanced Municipalities may be relieved of responsibilities which they are not yet prepared to bear, any such Municipality may apply to the Director of Public Instruction, and on such application the administration of its schools in the matter of appointment, promotion, punishment, suspension and dismissal of all members of the establishments of Municipal Schools may be conducted by the Government Educational Department.

10. The scale of school fees payable in any Municipal School shall not, without the previous consent of the Director of Public Instruction, be increased above, or reduced below, that existing at the time of the transfer of such school to the Municipality. Free-studentships in primary or secondary schools maintained or aided by a Municipality shall be distributed according to the rule prescribed in the Vernacular Masters Code, and scholarships paid from Municipal Funds shall be allotted on the same principle. But it shall be allowable to consider all the schools of the same class (primary or secondary) together, and if suitable claimants do not come forward the allotted places shall remain vacant.

11. As to all Departmental matters other than those referred to in Rule 2 as to which the ruling of the Educational Department is obligatory, every Municipality shall give full consideration to the representations of the Educational Department and shall make a written reply within a reasonable time stating its reasons in case it dissents from the views set forth in such representations.

12. With a view to the promotion of private schools and as an aid to the provision of the adequate system of primary instruction which is required by law, every Municipality shall keep a register of primary schools not included in the contract as Municipal Schools, to be recommended by them from time to time for maintenance under the Grant-in-aid system according to the Code of rules from time to time prescribed and published by Government: provided that a Municipality shall not interfere in any way with such schools as do not desire to receive aid or to be subject to its supervision.

13. A detailed statement of all employés in Municipal Schools, with their salaries and all other items of recurring expenditure, shall be maintained by each Municipality and shall be at all times open to the inspection of the Government Educational Inspector.

14. Every Municipality shall furnish without delay all returns, statistics and any other information relating to Municipal Schools which may be called for by the Educational Inspector.

Notn. No. 1533, dated 13th July 1895, S. O. G., 1895, Pt. I-A, p. 3.—
 In supersession of Notification No. 1662, dated 4th November 1886, published at pages 35 to 42 of the *Sind Official Gazette*, Part I-A, of the 11th idem, and with reference to Notification No. 2829 of the 22nd November 1893, published at pages 27 and 28 of the *Sind Official Gazette*, Part I-A, of the 30th idem, the Acting Commissioner in Sind, in virtue of the powers enabling him in this behalf, is pleased to declare that the following rules, approved by His Excellency the Governor of Bombay in Council, for regulating, under Section 24 of the Bombay District Municipal Act, the management of Municipal schools, and published at pages 1233 to 1235 of the *Bombay Government Gazette*, Part I, of the 13th December 1894, shall also apply under the authority of that section to all Municipalities in Sind :—

*Rules made under Section 24⁽¹⁾ of the Bombay District
 Municipal Act of 1873.*

(Vide Rules printed on pages 515 to 518, supra.)

*Form of Account of expenditure on Educational objects by the
 Municipalities in Sind.*

Notn. No. 16, dated 5th January 1887, S. O. G., 1887, Pt. I-A, p. 1.—
 Under the provisions of Section 90 of the Bombay District Municipal Act, the Commissioner in Sind is pleased to prescribe the following as the form in which Municipalities in Sind shall furnish an account of their expenditure on Educational objects :—

⁽¹⁾ The powers of Government under this section are in Sind exercised by the Commissioner in Sind.

LOCAL RULES AND ORDERS MADE UNDER

[1873, Bo. Act VI—
[1874, Bo. Act I—

Object of expenditure.		RECEIPTS FOR THE YEAR.														Remarks.
		Local Assets.														
1		2	Opening balance at the beginning of the year.										11	Total receipts including opening balance.		
		3	Government contract grant.										12	Total expenditure for the year.		
		4	Provincial grants to schools made under the grant-in-aid rules for results.										13	Closing balance at the end of the year.		
		5	Provincial grants-in-aid on account of miscellaneous objects such as buildings, apparatus, &c.													
		6	Fees.													
		7	Local Board grant assigned under Section 47.													
		8	Local Board grant assigned under Section 45.													
		9	Subscriptions, endowments, and miscellaneous.													
		10	Municipal Funds.													
		14														
Schools within the contract	{ Schools started and maintained by the Municipality															
Schools not within the contract.	{ Schools aided by the Municipality															
Other Educational objects not included in the above, but coming under Section 24, Clauses (15), (16) or (21) of Act VI of 1872																
Total ..																

NOTE I.—The other Educational objects for which receipts and expenditure have been shown should be detailed in the remark column.

NOTE II.—The objects for which the grants shown in column 5 are made should be shown in the remark column.